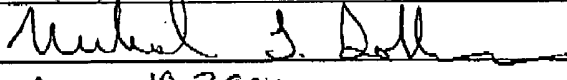
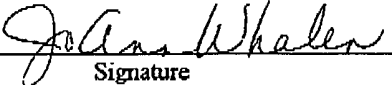


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|--|---|------------------------|-------------------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | | Application Number | 09/822,080 |
| | | Filing Date | March 30, 2001 |
| | | First Named Inventor | C. Neal Stewart, Jr. |
| | | Group Art Unit | 1638 |
| | | Examiner Name | M.A. Ibrahim |
| Total Number of Pages in This Submission | 8 | Attorney Docket Number | 19603/2420 (CRF D-2354) |

| ENCLOSURES (check all that apply) | | |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> A copy of the Notice to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input checked="" type="checkbox"/> A self-addressed, prepaid postcard for acknowledging receipt <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks | <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 14-1138 for the above identified docket number. | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm or Individual name | Michael L. Goldman, Esq. Nixon Peabody LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051 Telephone: (585) 263-1304 Fax: (585) 263-1600 |
| Signature |  Registration No. 30,727 |
| Date | May 18, 2004 |

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UTILITY/DESIGN PATENT

(amend/final amend)

Date: 5/18/04Date of O.A.: 12/19/03

Rec'd in the U.S. Patent & Trademark Office on the date stamped hereon

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Case # 19603/2420 S/N: 09/822,080 Filed: March 30, 2001

Pat. # _____ Issued: _____

Examiner: M.A. IbrahimArt Unit: 1638

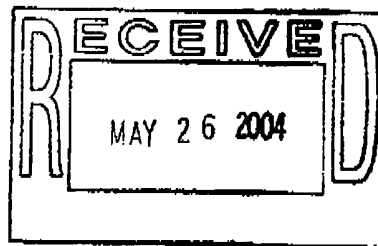
Batch: _____

Atty: N. ConnollyApplicant: Stewart et al.Title: CABBAGE PROTEINASE INHIBITOR GENE CONFERS

Re-Exam Control # _____

VERIFIED BY: Asst: JAW

Quality Control: _____

☒ Transmittal Sheet in duplicate☐ Amendment in 5 pgs.☒ 2 Mo. Ext. Time in type.☐ Change of Address☐ Request for Drawing Changes☐ Small Entity Statement☐ _____ pgs. Drawing☐ Assignment in _____ pgs.☒ \$ 210 - Check for Amendment☐ \$ _____ Check for Assig.☐ Issue Per Trans. in duplicate☐ Issue Per/Soft Copies☐ Information Disclosure Statement; PTO-1449 in duplicate with _____ Reference(s)☒ Fee Transmittal (1 page) (in duplicate)
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PATENT

Docket No.: 19603/2420 (CRF D-2354)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Stewart et al.

Serial No. : 09/822,080

Cnfrm. No. : 8901

Filed : March 30, 2001

For : CABBAGE PROTEINASE INHIBITOR
GENE CONFERS RESISTANCE AGAINST
PLANT PESTSExaminer:
M.A. IbrahimArt Unit:
1638

AMENDMENT UNDER 37 C.F.R. § 1.116

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the December 19, 2003, office action, please amend the above-identified patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 5 of this paper.